

### REMARKS

Claims 1-38 are pending in this Application, of which Claim 1 is the sole independent claim. All claims stand rejected.

#### Rejection of Claims 1-38 under 35 U.S.C. § 103

Claims 1-38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kabra et al. (U.S. Patent no. 6,507,834, hereinafter “Kabra”) in view of Konno et al. (U.S. Patent no. 6,078,955, hereinafter “Konno”). Applicants respectfully disagree with this rejection for the reasons set forth below.

With regard to Claim 1, the Examiner states on page 4 of the present Office Action, “Kabra fails to explicitly disclose in detail *each JPU in the second group being responsive to requests received from a host computer to execute jobs and return results independent of execution at other JPUs.*” Applicants agree with this statement. However, contrary to Examiner’s assertion, Konno also does not disclose the aforementioned limitations.

Konno discloses a computer system that enables a user to access a set of files and programs from any one terminal (Konno, col. 2, lines 5-11). As shown in Fig. 1, a number of terminals 104 are linked to an administration server 102 across a network 101. From a terminal 104, a user issues a processing request to the administration server 102 (col. 2, lines 32-36). The administration server 102 locates the program and data corresponding to the request, and selects a computer (either a terminal 104 or a server 103) to execute the processing request (col. 2, lines 34-43). The administration server 102 then transfers the corresponding program and data to the selected computer (e.g., server 103), and the terminal 104 communicates with the selected computer to execute the processing request (col. 4, lines 43-51).

Konno fails to disclose a JPU as recited in Claim 1, which has “exclusive access to one or more sources of data,” and is configured to “execute jobs...containing instructions for the processing of a particular subset of data under the JPU’s exclusive control.” In Konno’s computer system, all data is managed by an administration server 102 via a system resource management information table 203 (see Figs. 2 and 18 and col. 5, lines 33-39), and files and programs are moved between computers to accommodate processing requests at those computers

(col. 4, lines 61-67). The servers 103 are not processing data under its own exclusive control. On the contrary, each server 103 merely receives a copy of the program and files required for a particular process (col. 11, lines 24-36). Once the process is completed, the original file (residing, for example, at the mainframe/database server in Fig. 1) is updated, and the copy of the file at the server 103 is deleted (col. 13, lines 3-12). Therefore, Konno's computers are not comparable to the JPUs recited in Applicants' Claim 1, because Konno's computer servers 103 do not have exclusive access to files, and so cannot execute jobs relating to data under the servers' 103 exclusive control. Because Konno does not disclose or suggest a JPU, it follows that Konno cannot disclose a JPU that "execute[s] jobs and return[s] results independent of execution at other JPUs," as recited in Claim 1.

Further, because Konno fails to disclose a JPU and corresponding job as recited in Claim 1, even if Konno were combined with the teachings of Kabra, that would still not result in a JPU that is "responsive to requests received from a host computer to execute jobs and return results independent of execution at other JPUs" as also recited in Claim 1. As shown in Fig. 1 of Kabra, a number of data servers 130A-E operate in parallel to retrieve data at respective data sources 132A-E (Kabra, col. 7, lines 4-12 and 34-37). Due to the failure of Konno to disclose a JPU, one of ordinary skill in the relevant art would find no assistance in Konno to modify the system of Kabra to provide a JPU that "execute[s] jobs and return[s] results independent of execution at other JPUs." Thus, the § 103 rejection of Claim 1 is believed to be traversed, and reconsideration is respectfully requested.

Claims 2-38 depend from Claim 1 and therefore inherit the limitations described above. As a result, the § 103 rejection of Claims 2-38 is believed to be traversed; reconsideration is respectfully requested.

Further, Claim 6 recites "sources of data comprise an external source of streaming data" that is accessed by a JPU. Neither Kabra nor Konno disclose this feature. The Examiner cites Kabra as disclosing a communications path between the data servers 130 and the client 102 (Kabra, col. 10, lines 49-50). However, Kabra fails to teach or suggest an "external source of streaming data" as recited in Claim 6.

Claim 7 recites that "autonomous operation is such that host computers in the first group do not coordinate processing across JPUs." Contrary to the Examiner's assertion, Kabra does

not disclose this feature. As shown in Fig. 6A of Kabra, a query coordinator 104 at the client 102 generates an execution plan 608 to coordinate execution at the data servers 130A-B (col. 11, lines 22-43). Although the Examiner cites Kabra at col. 7, lines 19-26, here Kabra merely discloses examples of transport protocols. Thus, Kabra fails to disclose autonomous operation as recited in Claim 7.

Further, Claim 22 recites “a host in the first group...broadcasting a message containing the job onto the network, without specifying the identity of any JPUs to receive the job.” Contrary to the Examiner’s association, this feature is not comparable to those features recited in Claims 1-6, and therefore analysis of those claims is not applicable to Claim 22. Neither Kabra nor Konno disclose or suggest “broadcasting a message...without specifying the identity of any JPUs” as recited in Claim 22.


Claim 24 recites “each JPU in the second group further comprises a scheduling component.” Contrary to the Examiner’s assertion, Kabra’s data servers do not include a scheduling component. Kabra does disclose a query scheduler 122; however, this query scheduler 122 as shown in Fig. 1 is a component of the query coordinator 104, and is not a component of a data server 130 (col. 8, lines 9-16). Thus, Kabra, alone or in combination with Konno, fails to teach or suggest a JPU comprising a scheduling component as recited in Claim 24.

**CONCLUSION**

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
Benjamin J. Sparrow  
Registration No. 62,259  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 11/6/02